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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,934	02/20/2002	Graham H. Hilton	2322-0505	4506
27111	7590	12/09/2003	EXAMINER	
BROWN, MARTIN, HALLER & MCCLAIN LLP			LABAZE, EDWYN	
1660 UNION STREET			ART UNIT	
SAN DIEGO, CA 92101-2926			PAPER NUMBER	

2876

DATE MAILED: 12/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/080,934	HILTON ET AL.	
	Examiner	Art Unit	
	EDWYN LABAZE	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Receipt is acknowledged of amendments filed on 9/22/2003.
2. Claims 1-25 are presented for examination.
3. This application claims the benefits of provisional application # 60/270,078 filed on 02/20/2001.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-6, 11-13, 15-18, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonneau, Jr. et al. (U.S. 6,394,346) in view of Takemoto et al. (U.S. 5,606,158).

Re claims 1 and 12-13: Bonneau, Jr. et al. discloses contactless smart card high production encoding machine, which includes a transport 44, 46 and rotator 52, 54 (col.5, lines 29+), said transport and rotator comprising an input bezel/insertion slot 110 for receiving a card 2 from a user (col.5, lines 20+); and a rotating transport carrier 52, coupled to the input bezel 110, for directing the card 2 under a reader/writer antenna 10, 14 for determining the status of the card (col.3, lines 30-67 and col.5, lines 25+); and a storage area 102, coupled to the transport and rotator, for storing and re-circulating/reusing the card (See Fig. # 2 of Bonneau, Jr. et al.; col.9, lines 50+), the storage area comprising of first stacker 116 (col.9, lines 52+); and a second stacker 118, coupled to the first stacker, wherein the first stacker and second stacker having first

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and second feeder mechanisms separate a top card from a card stack and move the top card through a guide channel into the transport and rotator (col.5, lines 30+), further comprising a reader/writer antenna 10 for determining the status of the card (col.5, lines 27+).

Bonneau, Jr. et al. fails to teach means for re-circulating/reusing the card, an input bezel or card slot for inserting the card, a separator for separating the rejected cards into one bin and the discarded card into another bin, and means for determining the status of the card.

Takemoto et al. discloses collection and processing apparatus of repeatedly used recording media, which includes an input bezel/gate 26 [for inserting the card/medium] receiving a card 3 from a user (col.6, lines 5-40); and a storage area 12, 13, coupled to the transport and rotator, for storing and re-circulating [or reusing] the card, the status of the card [which is done through the sensors 15S, 16S, 18s, and 19S and record data reader 15 and a separator for separating the card to reused and those to be discarded] determines where the card will be stored (col.6, lines 22-40), .

In view of Takemoto et al.'s teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of Bonneau, Jr. et al. a means for recycling the card [such systems are widely used in the gaming industry, wherein the user requests a card loaded a certain amount of amount of money, and the machine reads the card, deducts the required amount for the game and returns the card to the user. Once the reader detects that there is no more money on the card, determine whether the card is reusable or not, and stores the card into a bin accordingly], an input bezel or card slot for inserting the card, a separator for separating the rejected cards into one bin and the discarded card into another bin, and means for determining the status of the card. Furthermore, such

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modification would provide a means of controlling the status [should the card discarded or reused] of the card. Moreover, such modification would have been an obvious extension as taught by Bonneau, Jr. et al., therefore an obvious expedient.

Re claims 3 and 15: Bonneau, Jr. et al. discloses an apparatus, wherein if the card is damaged (or if the card is rejected for a specific standard) or is unable to communicate with the reader/writer antenna 10, the card is transported to the first bin 122 (col.9, lines 60+).

Re claims 4 and 16: Bonneau, Jr. Et al. teaches an apparatus, further comprising a host computer or processor 232, coupled to the transport and rotator, for processing information retrieved from the card (See Fig. # 3 of Bonneau, Jr. et al., and col.5, lines 45+), and a micro-controller board 234, coupled to the host computer/processor 232, for receiving the status of the card from the reader/writer antenna 10, 14 (col.10, lines 66+).

Re claims 5 and 17: Bonneau, Jr. et al. discloses an apparatus, further comprising a reader/writer control 236 238, coupled to the reader/writer antenna 10 and/or 14, for instructing the reader/writer antenna 10 whether to encode or read information from the card (col.11, lines 1+).

Re claims 6 and 18: Bonneau, Jr. et al. discloses an apparatus, wherein an user or operator determines where the card will be dispensed from the machine (col.10, lines 22+).

Re claims 11 and 23: Bonneau, Jr. et al. teaches an apparatus, wherein the card is selected from a group consisting of smart cards 2, magnetic cards and security passes (col.5, lines 20+).

6. Claims 7-10 and 19-22, 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonneau, Jr. et al. (U.S. 6,394,346) as modified by Takemoto et al. (U.S. 5,606,158) above in claim 1, and further in view of Kawaji et al. (U.S. 5,854,477).

The teachings of Bonneau, Jr. as modified by Takemoto et al. have been discussed above.

Bonneau, Jr. et al. as modified by Takemoto et al. fails to teach means a first and second drive mechanism for raising and lowering the card stack located in the stackers.

Kawaji et al. discloses reusable ticket processing apparatus and ticket regenerating apparatus, which includes a first and second drive mechanism for raising 3b and lowering 3a the card stack located in the stackers (col.4, lines 1+).

In view of the teaching of Kawaji et al., it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ a first and second drive mechanisms into the teaching of Bonneau, Jr. et al. as modified by Takemoto et al. above in claim 1, so as to control the card deployment (storage and/or removal) of the cards in and out of each stacker. Furthermore, such modification would provide permanent card feeding from the stacker where new cards are used in replacement of defective/damaged cards as detected by the sensor/detectors, and storage capability when lowering the card stack in order to store/hold into the stacker any defective/damaged card. Moreover, the control processor separately operates both mechanisms, and such modification would have been an obvious extension as taught by Bonneau, Jr. et al.

Response to Arguments

7. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Matsuura et al. (U.S. 5,553,620) discloses automatic cash transaction machine.

Katou et al. (U.S. 6,481,620) teaches bill recycle machine.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (703) 305-5437.

The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

el
Edwyn Labaze
Patent Examiner
Art Unit 2876
November 28, 2003



THIEN M. LE
PRIMARY EXAMINER